

SECTION 3.3 USE CLASSIFICATION AND STANDARDS

For the purposes of this Bylaw, existing and future uses of land, buildings and other structures shall be allocated among the following categories. It is intended that every possible use be included in some category, and a use that does not readily fall into any category listed shall be included in the one to which it is most similar. Each use is assigned a number which is found in the left hand column of the following pages.

The Standards and Conditions column which is located to the right of the Use Classification column contains specific requirements which shall be met if the Use is to be permitted in any Zoning District by right, by Special Permit, or by Site Plan Review.

The column located to the right of the Standards and Conditions column indicates the Zoning Districts in which the specific Uses are permitted or prohibited. The following code is used in those columns:

Y	=	Yes	The Use is permitted by right in that Zoning District.
N	=	No	The Use is not permitted in that Zoning District.
SPR	=		The Use is permitted by right with Site Plan Review (See Section 11.2) ¹
SP	=		The Use is permitted with a Special Permit, by the Zoning Board of Appeals (See Section 10.3)
SPP	=		The Use is permitted with a Special Permit by the Planning Board (See Section 10.3)
()	=		The Use, if located within the Aquifer Recharge Protection District (ARP) shall be subject to the code designation within the parenthesis.

¹No Site Plan Review shall be required in those instances where a use change is proposed and no substantial physical changes (other than signs) will occur to the site or building exterior and where no new or additional requirements of the Zoning Bylaw must be met for the proposed use.

Bylaw Number	Land Use Classifications	Standards & Conditions	R-O R-LD	R-N	R-VC	R-G	R-F	B-G	Zoning Districts							
									B-L	B-VC	B-N	COM	OP	LI	PRP	FPC
SECTION 3.31	EXTENSIVE USES															
3.310	Forestry and the harvesting of forest products.		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3.311	Orchard, market garden, nursery, or other use of land for commercial or other agricultural production.		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3.312	Salesroom or farm stand for the sale of nursery, garden or other agriculture produce (including articles of home manufacture from such produce).	The farm shall be a minimum of five acres in size for both Class I and Class II facilities.														
	3.3120 Class I		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
		For produce grown during either June, July, August & September of every year, or during the harvest season of the crop(s) raised on land of the owner or lessee, at least 25 percent of such products for sale, based on either gross sales dollars or volume, have been produced by the owner or lessee of the land on which the facility is located. For produce generated without regard to seasons, at least 25% of such products for sale, based on either gross annual sales or annual volume, have been produced by the owner or lessee of the land on which the facility is located, and at least an additional 50 percent of such products for sale, based upon either gross annual sales or annual volume, have been produced in Massachusetts on land, other than that on which the facility is located, used for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture (including the growing and keeping of nursery stock and the sale thereof), floriculture or viticulture, whether by the owner or lessee of the land on which the facility is located or by another, all as provided for under MGL Ch. 40A, Sec. 3, as amended.														
	3.3121 Class II		SP	SP	SP	SP	SP	SPR	SPR	SPR	SPR	SPR	SP	SP	SP	SP
		For produce grown during June, July, August & September of every year, or during the harvest season of the primary crop(s) raised on land of the owner or lessee, at least 15% of the products for sale shall be produced by the owner or lessee of the land on which the facility is located. For produce generated without regard to seasons, at least 15% of such products for sale, based on either gross annual sales or annual volume, have been produced by the owner or lessee of the land on which the facility is located, and at least an additional 50 percent of such products for sale, based upon either gross annual sales or annual volume, have been produced in Massachusetts on land, other than that on which the facility is located, used for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture (including the growing and keeping of nursery stock and the sale thereof), floriculture or viticulture, whether by the owner or lessee of the land on which the facility is located or by another.														
3.313	Commercial poultry or livestock farm, or the raising of pets for gainful purposes.		Y	N	N	N	N	N	N	N	N	N	N	SP	N	SP
3.314	Reservation, wildlife preserve, or other conservation use.		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

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3.315	Outdoor recreational use.		SP	SP	N	N	N	SP	SP	SP	N	SP	N	N	N	SP
		Any structure shall be accessory to the operation of the outdoor recreation activities.														
3.316	Surface water impoundment, flood retention ponds, or other surface water storage use.		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SPR
		Any use proposed under this section shall abide by all applicable local, state, and federal regulations governing environmental, flood-related, structural, and safety aspects of the proposed use and its associated structures and site alterations, and all applicable permits governing dams and surface water impoundments shall be obtained and maintained as current. Failure to abide by said regulations or to obtain and keep current all required permits shall result in the voiding of any permit issued under this section and shall be considered a violation under Section 11.4 of this Bylaw.														
3.317	Commercial Greenhouse		SP	SP	N	N	N	SP	SP	SP	N	SP	N	SP	N	N
SECTION 3.32	RESIDENTIAL USES	See Article 4 for Cluster Development, Planned Unit Residential Development and Open Space Community Development.														
3.320	One family detached dwelling		Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	N
3.321	Two family detached dwelling		SP (N)	SP (N)	SPR	SPR	N	N	N	N	SPR	N	N	N	N	N
		In all districts, the Special Permit Granting Authority or Permit Granting Board, as applicable, shall apply the provisions of Sections 3.2040 and 3.2041 to any construction, renovation, or expansion resulting in the creation of a new two-family detached dwelling or the addition of a single new dwelling unit to an existing single family residence such that a two-family detached dwelling is created.														
3.322	Town House		N	N	SP	SP	N	SPR	SP	SP	SP	N	N	N	N	N
		Each building shall be separated from other such buildings by a minimum of twenty (20) feet, and have no more than ten (10) dwelling units.														
		The building(s) shall be connected with the public sewer system prior to occupancy, and its lot, if in a Residence District, shall fall within one of the following areas: 1) areas close to heavily traveled streets, 2) areas close to business, commercial, and educational districts, or 3) areas already developed for multi-family use.														
		A management plan, as defined in terms of form and content in the <u>Rules and Regulations</u> adopted by the Permit Granting Board or Special Permit Granting Authority, shall be included as an integral part of any application made under this section. All dimensional regulations in Article 6 shall be observed. In all districts, the Permit Granting Board or Special Permit Granting Authority shall apply the provisions of Sections 3.2040 and 3.2041 to any construction, renovation, or expansion resulting in the creation of new dwelling units under this section.														
3.323	Apartments		N	N	SP	SP	N	SPR	SP	SP	SP	N	N	N	N	N
		The site or lot upon which one or more apartment buildings are proposed shall be located: 1) close to a heavily traveled street or streets, 2) close to a business, commercial or educational district, or 3) in an area already developed for multi-family use.														
		Each building shall have no fewer than 3, nor more than 24 dwelling units. Each building shall be connected to the public sewer system prior to occupancy.														

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Dimensional regulations in Article 6 shall be observed. In addition, the following requirements shall apply:

District	Add'l Side/Rear Yards per Floor	Floor Area Ratio	Minimum Landscape or Natural Open Space
R-G	2 ft.		
B-L	2 ft.		
B-VC	2 ft.		
B-N	2 ft.	0.3	40%

NOTE: "Minimum Landscaped or Natural Open Space" shall include (a) those portions of the lot devoted to plantings, including lawns and grass areas (b) wooded land, and pedestrian-oriented paved or unpaved areas devoted to social or recreational use in common by the residents of the building or complex provided that such areas are kept essentially open to the out-of-doors and are at ground level.

Specifically excluded from this definition are those areas devoted to parking, access, and service drives.

No more than 50% of the total number of dwelling units shall be of any one size (i.e. # of bedrooms). A management plan, as defined in terms of form and content in the Rules and Regulations adopted by the Permit Granting Board or Special Permit Granting Authority shall be included as an integral part of any application under this section. In all districts, the Permit Granting Board or Special Permit Granting Authority shall apply the provisions of Sections 3.2040 and 3.2041 to any construction, renovation, or expansion resulting in the creation of new dwelling units under this section.

3.324 Subdividable/Converted Dwellings

3.3240 Subdividable Dwelling
(See Section 12.33,
Definitions)

SP (N)	SP (N)	SP	SP	N	SP	SP	SP	SP	N	N	N	N	N
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1. A subdividable dwelling shall contain provisions for a specified number of dwelling units not to exceed three in accordance with a Special Permit issued prior to its use as more than a single family dwelling. The total number of dwelling units at any given time may be fewer than, but shall never exceed the maximum number allowed under the Special Permit.
2. A subdividable dwelling shall meet all zoning requirements applicable to a multi-family dwelling of the maximum number of units allowed under the Special Permit. All requirements of Table 3 (Dimensional Regulations) of Article 6 and parking requirements in Article 7 shall be met at the time of construction.
3. At least one of the dwelling units shall be and shall remain owner-occupied, which requirement shall be made a condition of any Special Permit issued under this section.
4. This use shall not be permitted in the Aquifer Recharge Protection (ARP) or Watershed Protection (WP) overlay districts.
5. Prior to issuing a Special Permit for this use in the B-G, B-L, B-VC and B-N districts, the Special Permit Granting Authority shall find that the proposed multiple dwelling use and the non-residential uses, both existing and permitted, in the district will be mutually compatible.
6. A subdividable dwelling shall be connected to the public sewer. However, the Special Permit Granting Authority may authorize the construction of a two-family subdividable dwelling on a lot serviced by a septic system approved by the Board of Health for such a dwelling.

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			R-O R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	COM	OP	LI	PRP	FPC
		7. A management plan as defined in the applicable regulations issued by the Special Permit Granting Authority shall be included as an integral part of any application under this section. The management plan shall be subject to review and reapproval at a public hearing held by said Authority prior to the issuance of a building permit to increase the number of dwelling units within a subdividable dwelling, which review shall be made a condition of any Special Permit issued under this section. The sole purpose of said review shall be the consideration of any changes in circumstances pertinent to said management plan that have occurred from the time of issuance of the Special Permit or any subsequent review pursuant to this requirement, and the extent to which the management plan should be modified as a result. Notice of hearing shall be provided in accordance with Mass. Gen. Laws, Chapter 40A. In addition to such notice, parties in interest as defined in Chapter 40A shall be provided with a summary of the approved management plan then in effect and any changes proposed thereto.														
		8. A landscape plan appropriate for the project shall be included in the application.														
		9. Subdividable dwellings in the R-O, R-LD, and R-N districts shall provide the following minimum areas of usable open space per dwelling unit on the same lot as said dwelling units, for the use of occupants:														
		R-N		1,000 sq. ft.												
		R-O, R-LD		2,000 sq. ft.												
		10. Provided all other requirements are met, a subdividable dwelling shall be eligible for subsequent proceedings in accordance with Section 3.3241 (Converted Dwelling) of this bylaw.														
		11. For a subdividable dwelling proposed on a lot within a Definitive Subdivision Plan, or on a Subdivision Approval Not Required lot, the Special Permit Granting Authority shall be the Planning Board. For all other subdividable dwellings, the Special Permit Granting Authority shall be the Zoning Board of Appeals.														

3.3241 Converted Dwelling
(See Section 12.07,
Definitions)

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|-----------|-----------|----|----|---|-----|----|----|----|---|---|---|---|---|
| SP
(N) | SP
(N) | SP | SP | N | SPR | SP | SP | SP | N | N | N | N | N |
|-----------|-----------|----|----|---|-----|----|----|----|---|---|---|---|---|
1. An existing residence, a structure attached to an existing residence, or a detached structure, may be converted into a dwelling unit or units provided all other zoning requirements which would apply to converted dwellings are met.
 2. A conversion of a structure shall not exceed the total number of dwelling units allowed on the lot. The total number of dwelling units shall not exceed 4 in the R-N, R-O, and R-LD districts and shall not exceed 6 in the R-VC, R-G, B-G, B-L and B-VC districts. Conversion in the Aquifer Recharge Protection (ARP) or Watershed Protection (WP) overlay districts shall not be permitted.
 3. In the B-L, B-VC and B-N districts, the Zoning Board of Appeals shall issue a Special Permit in accordance with the provisions of this section only after finding the subject parcel in the nonresidential district would not be adversely affected by the multiple dwelling use and that the uses permitted in the district would not be noxious to the multiple dwelling use.
 4. There shall be no significant change in the exterior of the building, except that the Zoning Board of Appeals may authorize modification or alteration of a building if such modification or alteration does not substantially change the building's character or its effect on the neighborhood or on property in the vicinity. Demolition of the existing structure proposed for conversion shall not be permitted.
 5. The proposed conversion shall be suitably located in the neighborhood in which it is proposed, as deemed appropriate by the Zoning Board of Appeals. The conversion, if in a residential district, shall either: a) be located in an area that is close to heavily traveled streets, close to business, commercial and educational districts, or already developed for multi-family use; or b) be from one to two units, one of which shall be and shall remain owner-occupied, which shall be made a condition of any Special Permit issued in such an instance.
 6. The dwelling units shall be connected to the public sewer. However, the Zoning Board of Appeals may authorize, with the approval of the Board of Health, the conversion of a structure to allow an increase from one dwelling unit to two dwelling units on a lot serviced by a septic system.

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		<p>7. The Zoning Board of Appeals may modify the dimensional requirements of Table 3, to, one time only for any parcel, allow a conversion under Section 3.3241 that would add one additional unit, only if it finds the modification would be in accordance with the provisions of Section 9.22.</p> <p>8. No detached structure shall be converted under the provisions of Section 3.3241 unless it has an exterior footprint of at least 500 square feet.</p> <p>9. A management plan as defined in the <u>Rules and Regulations</u> adopted by the Zoning Board of Appeals, shall be included as an integral part of any application.</p> <p>10. A landscape plan appropriate for the project shall be included in the application.</p> <p>11. Converted dwellings in the R-O and the R-LD districts shall provide a minimum of 2,000 sq. ft. of usable open space per dwelling unit for the use of occupants. Converted dwellings in the R-N district shall provide a minimum of 1,000 sq. ft. of usable open space per dwelling unit.</p>														
3.325	Building containing dwelling units in combination with stores or other permitted business or commercial uses.	<p>A management plan, as defined in terms of form and content in the <u>Rules and Regulations</u> adopted by the Permit Granting Authority shall be included as an integral part of any application made under this section. In those Limited Business (B-L) Districts not abutting the B-G District, and in the Commercial (COM) District, a Special Permit from the permit authority authorized to act under this section of the bylaw shall be required wherever proposed residential uses above the first floor exceed: 1) a total GFA greater than the area devoted to commercial uses, or 2) a total GFA greater than six thousand (6000) square feet, or 3) six (6) dwelling units. The proposed use shall meet the criteria of Section 10.38 or Section 11.24, as applicable, with respect to the site and potential conflicts between the residential and commercial use(s).</p> <p>In the Commercial (COM) District there shall be no dwelling units, nor portions thereof other than entries thereto as required, on the first floor. No more than ten percent (10%) of the gross floor area on the first floor shall be associated with or incidental to, whether for storage or other purposes, the residential uses on upper floors.</p>	N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
3.326	Fraternity or Sorority building, social dormitory, or similar use related to Amherst College, Hampshire College, or the University of Massachusetts.	<p>The building shall be connected to the public sewer system prior to occupancy. Its lot shall fall within one of the following areas:</p> <p>Areas close to heavily traveled streets; areas close to business, commercial, and educational districts; areas already developed for multifamily use.</p> <p>A management plan, as defined in terms of form and content in the <u>Rules and Regulations</u> adopted by the Permit Granting Authority shall be included as an integral part of any application made under this section.</p>	N	N	N	N	SPR	N	N	N	N	N	N	N	N	
3.327	Overnight Lodging															
	3.327.0 Hotel or Motel	<p>The building shall be connected with the public sewer system prior to occupancy. Its lot, if in a residence district, shall fall within one of the following areas: areas close to heavily traveled streets; areas close to business, commercial and educational districts; areas already developed for multifamily use.</p> <p>In the B-N District, only hotel or motel uses with lodging rooms on 2 or more floors shall be permitted.</p> <p>The Zoning Board of Appeals may allow a restaurant as a second Principal use, along with hotel/motel-related retail and consumer services as accessory uses, under a Special Permit for a hotel or motel.</p>	N	N	N	N	N	SP	SP	SP	SP	SP	N	N	N	N

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			R-O R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	COM	OP	LI	PRP	FPC
		A management plan, as defined in terms of form and content by the <u>Rules and Regulations</u> adopted by the Zoning Board of Appeals shall be part of any application made under this section.														
3.327.1	Inn		N	N	N	N	N	SPR	SP	SP	SPR	SP	N	N	N	N
		In the COM District, Inns shall be allowed only in those areas which are also within the boundaries of National Historic Register Districts.														
		The Zoning Board of Appeals may allow a restaurant as a second Principal use, along with inn-related retail and consumer services as accessory uses, under a Special Permit for an inn. A management plan, as defined in terms of form and content by the <u>Rules and Regulations</u> adopted by the Zoning Board of Appeals shall be part of any application made under this section.														
3.327.2	Hostel		SP	SP	SP	SP	SP	SPR	SP	SP	SPR	SPR	N	N	N	N
		The building shall be connected with the public sewer prior to occupancy.														
		The hostel shall be within easy walking distance of public transportation.														
		The owner or manager of the hostel shall reside on the premises.														
		There shall be no separate cooking facilities in guest rooms. Meals may be provided to hostel lodgers and to other persons attending scheduled educational events sponsored by and held at the hostel.														
		In the R-G, R-N, R-O and R-LD Districts, a hostel may provide up to 20 beds. In all districts where the use is allowed, a minimum of 20 percent of hostel beds shall be in rooms containing 2-4 beds.														
		Secure bicycle parking and/or storage shall be provided, with a total capacity equal to or exceeding the number of parking spaces required for vehicles.														
		A management plan, as defined in terms of form and content in the <u>Rules and Regulations</u> adopted by the Zoning Board of Appeals, shall be part of any application made under this section.														
3.328	Congregate housing for the elderly and disabled. (See Section 12.06, Definitions)		N	N	SP	SP	N	N	N	SP	SP	SP	N	N	N	N
		The minimum lot area shall be 12,000 sq. ft. or 1,000 sq. ft. multiplied by the number of sleeping rooms, whichever is greater. The building shall be connected with the public sewer system prior to occupancy. Its lot shall fall within one of the following areas: areas close to heavily traveled streets; areas close to business, commercial, and educational districts; areas already developed for multifamily use.														
3.329	Lodging or boarding house.		N	N	SP	N	N	SPR	SP	SP	SP	SP	N	N	N	N
		In the B-VC, B-N, COM and R-VC districts, the Zoning Board of Appeals may grant a Special Permit for a lodging or boarding house, provided it finds that the proposal meets the provisions of Article 7, Section 10.38 and this section. In the R-VC District, a lodging or boarding house shall let or sublet no more than a total of 7 rooms.														
		There shall be no separate cooking facilities. Meals may be provided to lodgers/boarders/roomers, but not to members of the general public not lodged at the establishment.														
		The owner or manager of the lodging or boarding house shall reside on the premises.														

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								B-G	B-L	B-VC	B-N	COM	OP	LI	PRP	FPC
Where a lodging or boarding house is to be located in an existing dwelling, there shall be no substantial change in the exterior of the building.																
The building shall be connected to the public sewer prior to occupancy. A management plan, as defined in terms of form and content in the <u>Rules and Regulations</u> adopted by the Zoning Board of Appeals shall be part of any application made under this section.																
SECTION INSTITUTIONAL USES																
3.33																
3.330	Non-profit educational institution, including any educational use on land owned or leased by the Commonwealth or any of its agencies, subdivisions, or bodies politic, or by a religious sect or denomination.	See Section 2.22 and 3.21	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.331	Kindergarten, day nursery or other agency for the day care of children.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.332	For-profit trade, professional, or other educational institution.		N	N	SP	SP	N	SPR	SPR	SPR	SPR	SPR	N	N	SPR (SP)	N
3.333	Church or other place of worship, parish house, rectory, or convent.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.334	Not for profit library or museum.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.335	Public park, playground or other public recreation facility.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.336	Medical or residential institutions.															
	3.336.0 For-profit hospital, sanitarium, nursing, rest or convalescent home, living care community, or other medical or residential facility.		SP	SP	SP	SP	N	SP	SP	SP	SP	N	SP	N	N	N
	3.336.1 Philanthropic or charitable medical or residential facility.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.337	Cemetery		SP	SP	N	N	N	N	N	N	N	N	N	N	N	N

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3.338	Private lodge or club		SP	SP	SP	SP	SP	SPR	SPR	SPR	SP	N	N	N	N	N
			A club, civic, social, professional or fraternal organization that is non-profit and is operated for members or employees only, where the chief activity is one not customarily conducted as a gainful business. The organization shall be incorporated for service or charitable purposes under the regulations of the Commonwealth or other applicable authorities, and shall permit long-standing memberships.													
			In the B-N District, if alcohol is served as part of any function conducted or permitted by the organization, the establishment shall be closed by 9:00 p.m.; otherwise, the establishment shall be closed by 11:30 p.m.													
3.339	Service building or other non-academic facility related to the operation of Amherst College, Hampshire College, or the University of Massachusetts.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
			Owned or managed by a College or University, but located outside of any Educational District.													
SECTION 3.34	GOVERNMENTAL & PUBLIC SERVICE USES															
3.340	Utility Uses															
3.340.0	Transformer station or other energy facility or use.		SP	SP	SP	SP	SP	SP	SP	SP	SP	SPR	SP	SPR	SP	SP
			Excluding any office, storage, or repair use unless otherwise allowed by the regulations of the district.													
3.340.1	Telephone exchange, radio or TV station, broadcasting facility, recording studio or other communication use.		SP	SP	SP	SP	SP	SPR	SPR	SPR	SP	SPR	SP	SP	SP	SP
			Excluding any office, storage, or repair use unless otherwise allowed by the regulations of the district.													
3.340.2	Wireless communications facility or other similar communications use.		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
			Excluding any office, storage, or repair use unless otherwise allowed by the regulations of the district.													
			The following standards and conditions shall apply to commercial and public wireless communication uses and facilities:													
			1. Setback & Height. Towers, antenna, antenna support structures and other vertical elements of wireless communication facilities located in a residential district or upon a property abutting a residential use shall be set back from the nearest residential lot line a distance at least equal to their height. In all districts, the height of wireless communications towers shall not exceed 125 feet above the ground. In non-residential districts, the Permit Granting Authority may allow a lesser setback or greater height if such modification provides adequate safety, promotes co-location or improves design, and will not significantly impact the character and appearance of the neighborhood. In making a request for a lesser setback, the manufacturer or qualified licensed designer shall certify that the tower is designed to collapse upon itself in the event of failure. The Permit Granting Authority may also allow lesser setbacks necessary to allow for the use of an existing structure.													
			2. Design provisions for such facilities shall include, but are not limited to:													
			a. No new tower shall be used which involves a lattice construction, requires three (3) or more legs and/or requires guy wire supports.													

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		<ul style="list-style-type: none"> b. No tower or other facility structure shall contain any signs or other devices for the purpose of advertisement. c. The visible portions of support facilities and structures such as vaults, equipment buildings or enclosures and utilities shall be constructed out of and/or finished with non-reflective materials. d. All towers, antenna, antenna support structures and similar facilities shall be of neutral colors that are harmonious with, and blend with, the natural features, buildings and structures in the surroundings; provided, however, that such facilities located on the exterior of a building shall be of colors that match and/or blend with those of the building. e. All building-mounted facilities shall be designed and located so as to appear to be an integral part of the existing architecture of the building. f. All electronic and other related equipment and appurtenances necessary for the operation of any wireless communication facility shall, whenever possible, be located within a lawfully pre-existing structure or completely below grade. When a new structure is required to house such equipment, the siting, design and materials of said structure shall be harmonious with, and blend with, the natural features, buildings and structures in the surroundings. g. All satellite dishes shall be of mesh construction, unless technical evidence is submitted demonstrating that this requirement is infeasible. Microwave dishes are exempted from this provision. h. All wireless communication facilities shall be protected against unauthorized climbing or other access by the public. i. Whenever feasible, design and siting of towers shall avoid the need for application of Federal Aviation Administration (FAA) lighting and painting requirements. Except as required by the FAA, towers shall not be artificially lighted. j. Applicants shall submit eight (8) view lines shown in a one (1) mile radius from the site, beginning at true North and continuing clockwise at forty-five (45) degree intervals. Said view lines shall, to the extent feasible, be taken from existing vantage points commonly used by the public, such as public ways, buildings or facilities. The submittal shall include unaltered photographs taken from eye level (5 feet above grade) which show the existing condition of these view lines, as well as accurate scale perspective elevation drawings, computer-altered photographs or other accurate representations showing said view lines with the facility in place. k. Landscape plans submitted with the application shall identify all existing vegetation, shall indicate which vegetation is to be retained on-site, and shall show all proposed new vegetation and other landscape treatments. 														
		<p>3. Co-location.</p> <ul style="list-style-type: none"> a. All new wireless communication facilities shall be co-located, to the maximum extent practicable and technologically feasible, with one or more existing wireless communication facilities, towers, buildings or other structures whose height, location and characteristics meet the needs of the proposed facility. b. All new wireless communication towers or support structures shall be designed, to the maximum extent practicable and technologically feasible, for co-location of antennas and other necessary facilities for at least three other wireless communication providers, shall offer space to all other providers at market rates, and shall provide for towers that can be expanded upward. Any Special Permit granted for a new facility under this section may be conditioned upon the written agreement of the facility operator to allow the co-location of other wireless communication providers on commercially reasonable terms. c. Any applicant proposing not to co-locate their facility or proposing to locate their facility in a residential district shall provide written evidence and documentation demonstrating why it is not feasible for their facility to be co-located with existing facilities or sited in other, non-residential districts. 														
		<p>4. Frequencies. All telecommunications facilities shall be operated only at Federal Communications Commission (FCC) designated frequencies, power levels and standards, including FCC Radio Frequency Emissions standards. The applicant shall provide certification demonstrating that the maximum allowable frequencies, power levels and standards will not be exceeded. Certifications shall include technical specifications, a written explanation of those specifications, and, if necessary, field verification. The Permit Granting Authority may condition any Special Permit granted under this section upon a periodic submittal of certification of compliance with said standards.</p>														

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		<p>5. Repair & Upkeep. All wireless communication facilities shall be maintained in good order and repair. Paint finishes shall be maintained and repaired when blemishes are visible from the property line. The applicant shall provide an inspection schedule, and shall file copies of inspections with the Building Commissioner.</p> <p>6. License & Permits. The operator of every wireless communication facility shall submit to the Building Commissioner copies of all licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of said facility, and shall maintain such licenses and permits and provide evidence of renewal or extension thereof when granted.</p> <p>7. Removal. All structures associated with a wireless communications use shall be removed within one (1) year of the cessation of said use. If applicable, an annual certification demonstrating continued compliance with the standards of the Federal Communications Commission, Federal Aviation Administration and the American National Standards Institute, including provisions for required maintenance, shall be filed with the Building Commissioner by the permit holder. Prior to the issuance of a building permit for a wireless communications use, the applicant shall post and submit a bond or other financial surety acceptable to the Town in an amount sufficient to cover the cost of demolishing and/or removing the facility in the event the Building Commissioner condemns the property or deems it to have been abandoned or vacant for more than one year. Said amount shall be certified by an engineer, architect or other qualified professional registered to practice in the Commonwealth of Massachusetts. In the event the posted amount does not cover the cost of demolition and/or removal, the Town may place a lien upon the property covering the difference in cost.</p> <p>8. Modifications. The Permit Granting Authority may modify any provision of these standards and conditions if it can be demonstrated that it is technically infeasible to meet said standards or conditions, or that their effect is to prohibit the proposed use throughout the Town, or if such modification will promote use of existing buildings or structures, co-location of wireless communications uses, improve safety or design, or otherwise promote the purposes of this bylaw.</p>														
3.340.3	Transportation Facility															
	3.340.30 Railroad or bus depot or other transportation facility.	Excluding any office, storage, or repair use unless otherwise allowed by the regulations of the district	SP	SP	SP	SP	SP	SP	SP	SP	SP	SPR	SP	SP	SP	SP
	3.340.31 Taxicab, limousine service and similar uses.		N	N	N	N	N	SPR	SP	SPR	SP	SPR	SP	SP	SP	N
		<p>The operation of a taxi or limousine (livery) service shall be considered a principal use regulated under this section of the Bylaw when any of the following conditions are met: 1) passengers are transported from or delivered to the site, or; 2) three (3) or more vehicles are physically dispatched from or stored on-site, or; 3) any vehicle carries more than eight (8) passengers, or; 4) on-site activities include ongoing associated vehicle maintenance and repairs.</p> <p>The operation of taxicab or limousine service may be permitted as an accessory home occupation under the provisions of Section 5.013 when all of the following Conditions are met: 1) on-site activity is limited to dispatch and storage of no more than two (2) vehicles, 2) no vehicle used by the service is capable of carrying more than eight (8) passengers, 3) only occasional minor vehicle maintenance occurs on-site, and 4) no passengers visit the premises.</p> <p>In the B-N District, if pick-up and drop-off from the site are permitted, the establishment shall be closed by 9:00 p.m. In that district, no more than three (3) vehicles associated with the use shall be kept on-site at any time.</p>														
3.341	Airport or heliport		SP (N)	SP (N)	N	N	N	SP	SP	N	N	SP	N	SP	N	N
3.342	Governmental administration building; fire or police station.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	N

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3.343	Reservoir, pumping station buildings; sewage treatment plant, or water supply use.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SP
3.344	Other governmental use not specifically listed herein. listed herein.		SP	SP	SP	SP	SP	SPR	SPR	SPR	SPR	SPR	SP	SP	SP	SP
SECTION 3.35	RETAIL BUSINESS AND CONSUMER SERVICE USES															
3.350	Retail establishments															
3.350.0	Retail stores		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	N	N	N	N
		Display & sales to be primarily conducted within the building.														
		In the B-N District, no more than four (4) employees shall be on-site at any time, walk-up facilities are permitted as an accessory use for food retail only, and the establishment shall be closed by 9:00 p.m.														
3.350.1	Convenience store for the sale of prepared and packaged food or beverage.		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	N	N	N	N
		Display & sales to be primarily conducted within the building.														
		In the B-N District, no more than four (4) employees shall be on-site at any time, walk-up facilities are permitted as an accessory use for food retail only, and the establishment shall be closed by 9:00 p.m.														
3.350.2	Grocery, bakery, deli, butcher shop, fish market, caterer or similar establishment for the production and sale of food and beverage.		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		Display & sales to be primarily conducted within the building.														
		In the B-N District, no more than four (4) employees shall be on-site at any time, walk-up facilities are permitted as an accessory use for food retail only, and the establishment shall be closed by 9:00 p.m.														
3.351	Personal care establishments.															
3.351.0	Barber or beauty shop, hair salon, tanning salon or similar place for personal care services.		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		In the B-N District, no more than four (4) employees shall be on-site at any time, and the establishment shall be closed by 9:00 p.m.														
3.351.1	Laundry or dry-cleaning shop, or self-service dry-cleaning or laundry.		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		In the B-N District, no more than four (4) employees shall be on-site at any time, and the establishment shall be closed by 9:00 p.m. No dry-cleaning shop where the cleaning is conducted on the premises may be operated in the B-N District.														

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	3.351.2	Tailor, garment maker, milliner, cobbler, or other shop for the repair or manufacture and sale of clothing or footwear.	N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		In the B-N District, no more than four (4) employees shall be on-site at any time, and the establishment shall be closed by 9:00 p.m.														
3.352	Food & Drink Establishments															
	3.352.0	Class I Restaurant, café, lunchroom, cafeteria or similar place.	N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		For serving food or beverage to persons inside the building, where either: a) no alcohol is served and the establishment is not open after 11:30 p.m., or; b) alcohol is served, the establishment is not open after 11:30 p.m., and any outside wall of that portion of the building occupied by the establishment is located more than 150 feet from any residential dwelling in a Residence district. A management plan, as defined in terms of form and content by the permit granting board or authority, shall be included as an integral part of any application made under this section. The management plan shall address patrons gathered outdoors on the property, including those awaiting entry. Any service of food or beverages outside the building shall be to persons seated at tables for the purpose of outdoor dining.														
		In the B-N District, for a Class I restaurant there shall be no more than a total of 30 seats, both indoor and outdoor. Service of alcohol shall cease at 9:00 p.m., and any outside wall of a building occupied by the establishment shall be located more than 100 feet from any residential dwelling in a Residence district. Walk-up facilities may be permitted as an accessory use in concert with outdoor dining on the premises.														
	3.352.1	Class II Restaurant or bar	N	N	N	N	N	SP	SP	SP	N	SP	N	N	N	N
		For serving food or beverage to persons inside the building, where: a) the establishment is open after 11:30 p.m. whether alcohol is served or not, or; b) regardless of hours of operation, where alcohol is served and any outside wall of that portion of the building occupied by the establishment is located 150 feet or less from any residential dwelling in a Residence district. A management plan, as defined in terms of form and content by the permit granting board or authority, shall be included as an integral part of any application made under this section. The management plan shall address patrons gathered outdoors on the property, including those awaiting entry. Any service of food or beverages outside the building shall be to persons seated at tables for the purpose of outdoor dining.														
	3.352.2	Class III Drive-up restaurant	N	N	N	N	N	N	N	N	N	SP	N	N	N	N
		For serving food or beverages outside the building via a drive-up window or other similar method to persons remaining in their vehicles.														
3.353	Theater, motion picture house, bowling alley, dance hall, arcade or other indoor commercial amusement or assembly use.		N	N	N	N	N	SP	SP	SP	N	SP	SP	N	N	N
		In the Office Park District to be permitted only if determined to be compatible with the intent of said district and the uses allowable therein; and further that in such district no more than 20% of the area shall be directly related to land uses included in this section, nor shall more than 20% of the net useable floor area allowable in such an area be so used. An arcade is defined as: premises or portions of premises where a party maintains for commercial purpose six or more automatic amusement devices for public or membership use. An automatic amusement device shall mean any game, amusement or test of skill including, but not limited to: pinball machines, football tables, pool tables, electronic games or similar mechanical or electronic devices.														
3.354	Funeral establishments		N	N	SP	SP	N	SPR	SP	SP	SP	SPR	N	N	N	N

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3.355	Studios & repair shops															
	3.355.0 Photographer's studio		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
	3.355.1 Repair shop for household appliances, radio and television sets, or office equipment.		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
3.356	Shop of a bicycle mechanic, printer, blacksmith, builder, carpenter, caterer, electrician, lawnmower mechanic, mason, painter, plumber, roofer or other member of a recognized trade.	<p>All work and storage to be conducted within a building.</p> <p>All trades shop operations shall undertake all reasonable measures to prevent noise, vibration, dust, fumes or odors from creating a disturbance or nuisance beyond the limits of the establishment. No operations shall be allowed which are hazardous by reason of potential fire, explosion, radiation or similar hazard.</p> <p>In the B-N District, there shall be no more than four (4) employees on-site at any given time. No operations shall be allowed prior to 7:00 a.m. or after 7:00 p.m.</p>	N	N	N	N	N	SP	SP	SP	SPR	SPR	N	N	N	N
3.357	Veterinary establishment, kennel, or place for the boarding of animals.	<p>In the B-N District, a veterinary clinic may be operated under the provisions of this section, but no kennel or overnight boarding of animals shall be permitted. There shall be no more than four (4) employees on-site at any given time, and the establishment shall be closed by 7:00 p.m.</p>	SP	N (N)	N	N	N	N	SP	N	SP	SPR	N	N	N	N
3.358	Office Uses															
	3.358.0 Bank, loan agency, real estate, insurance or other business or professional office providing services to the public in person on the premises.	In the B-N District, no drive-through facilities shall be permitted. There shall be no more than six (6) employees on-site at any given time, and the establishment shall be closed by 7:00 p.m.	N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SPR	N	N	N
	3.358.1 Technical or professional office such as architect, engineer, lawyer, financial services, or similar office providing services predominantly by appointment to the public in person on the premises.	For the purposes of this section, the public shall be defined as including all persons acting as customers or clients receiving services. "Predominantly by appointment" shall mean that a majority of customers or clients who are provided services in person on the premises during any extended period of operation (monthly, quarterly, or annually) shall do so through prior appointment. Exceptions shall be discretionary follow-up visits by customers or clients with regard to services already provided, visits by affiliated professionals or consultants, salespersons, service contractors (delivery, maintenance, etc.), and the like. Office uses under this section shall advertise their on-premises services as being available to the general public only by appointment.	N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	SPR	SP	SPR	N

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3.358.2	Administrative business office or similar business or professional office not providing services to the general public in person on the premises.	<p>For the purposes of these sections, the public shall be defined as including all persons acting as customers or clients. Exceptions shall be affiliated professionals or consultants, salespersons, service contractors (delivery, maintenance, etc.), and the like. No office use under this section shall advertise its services as being available to customers and clients on the premises. Services shall be advertised as being available exclusively by telephone, mail, on-line, or other remote means.</p> <p>[For Sections 3.358.1 and 3.358.2, inclusive]</p> <p>In the B-N District, there shall be no more than six (6) employees on-site at any given time, and the establishment shall be closed by 7:00 p.m.</p> <p>In the PRP District, uses under these sections shall be located on parcels served by town water and sewer. Notwithstanding the provisions of footnote f., of Table 3, Dimensional Regulations, when a use under these sections is located on a property adjoining a residential district, a minimum 50-foot uninterrupted vegetated buffer shall be established and maintained between buildings associated with uses under this section and the nearest residential property boundaries. When the Special Permit Granting Authority or Permit Granting Board determine that an increased buffer is warranted and the subject property and site layout allow, a vegetated buffer of up to 100 feet in width may be required. Said buffer may include any drives or roadways.</p> <p>In the R-VC District, the Zoning Board of Appeals may grant a Special Permit for an office use under Sections 3.358.1 or 3.358.2 providing it finds that, in addition to meeting the provisions of Article 7 and Section 10.38, the proposed office use meets the following conditions:</p> <ol style="list-style-type: none"> 1. Is located on the ground floor only, and occupies no more than 50 percent of the gross floor area of the structure, exclusive of storage space. 2. Shall be allowed only as a second Principal use, where the first Principal use is a residential use. 3. Shares a property line with or is adjacent to another property with a similar use permitted under this section or a property in the B-L, B-VC or COM districts. 4. Employs no more than 3 persons (for a Section 3.358.1 office) or 5 persons (Section 3.358.2) who work on-site, other than residents of the property. 5. Where located in an existing dwelling, the residential character of the structure and site shall be maintained. 	N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	N
3.359	Medical or dental laboratory	<p>In the B-N District, there shall be no more than six (6) employees on-site at any given time, and the establishment shall be closed by 7:00 p.m.</p>	N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SPR	SPR	SPR	N (SP)
3.360	Medical Uses															
3.360.0	Medical office	<p>See definition under Article 12. In the R-VC District, a medical office shall be permitted only under a Special Permit as part of a mixed use under Section 3.325, and is not otherwise permitted.</p> <p>In the B-N District, there shall be no more than six (6) employees on-site at any given time, and the establishment shall be closed by 7:00 p.m.</p>	N	N	SP	N	N	SPR	SPR	SPR	SP	SPR	SPR	N	SP	N
3.360.1	Medical group practice	<p>See definition under Article 12. In the B-N District, there shall be no more than eight (8) employees on-site at any given time, and the establishment shall be closed by 7:00 p.m.</p>	N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SPR	N	N	N

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	3.360.2 Medical center		N	N	N	N	N	SPR	SPR	SPR	N	SPR	SPR	N	N	N
		See definition under Article 12.														
	3.360.3 Clinic or emergency care facility		N	N	N	N	N	SPR	SPR	SPR	N	SPR	SPR	N	N	N
		An outpatient public health clinic as defined under Article 12.														
3.361	Auction gallery for exhibition, sale by auction, so-called "tag sales" and so-called "flea markets".		N	N	N	N	N	N	SPR	N	N	SPR	N	SPR	N	N
3.362	Shop of a potter, ceramist, sculptor, silversmith, jeweler, lapidary, weaver, clockmaker, musical instrument maker, wood carver, graphic artist, leather worker (not including tanning or processing), candlemaker, or similar craftsperson.	All work and storage to be conducted within a building.	N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
SECTION 3.37	RESEARCH AND INDUSTRIAL USES															
3.370	Warehouse or other enclosed building for the storage, distribution or wholesale marketing of material, merchandise, products or equipment.	Such use not to be hazardous by reason of potential fire, explosion, or radiation.	N	N	N	N	N	N	N	N	N	SPR	N	SPR	SPR	N
3.371	Lumber yard, fuel storage plant, contractor's yard, or other open-air establishment for the primary storage, distribution, or sale at wholesale or retail of merchandise, products or equipment.	Salvage materials not included. See Section 3.02	N	N	N	N	N	N	N	N	N	SP	N	SP	N	N

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3.372	3.372.0 Research and Development or Testing facility		N	N	SP	N	N	SP	SP SPR*	SP	SP	SPR	SPR	SPR	SPR	N
		<p>* In those areas of the B-L District which coincide with the Research & Development (R&D) overlay district, Site Plan Review approval shall be required for uses regulated under this section. In all other areas of the B-L District, a Special Permit shall be required from the Zoning Board of Appeals.</p> <p>Uses under this section shall include research, development and/or testing of innovative information, concepts, methods, processes, materials, or products. This shall include but not be limited to activities conducted in laboratory settings. The accessory development, fabrication, and light manufacturing of prototypes, or specialized machinery and devices integral to research or testing may be associated with these uses under the provisions of Section 5.07.</p> <p>In the B-G, B-L, B-VC, B-N and R-VC districts, the Zoning Board of Appeals may grant a Special Permit for a research and development use, provided that it consists only of office or similar uses and meets the provisions of Section 3.359, Article 7 and Section 10.38. An exception shall be where the B-L District coincides with the R&D overlay district, in which case such a research and development use, similarly limited, shall be permitted through Site Plan Review approval.</p> <p>In all zones, all outdoor storage of materials and equipment shall be screened from public view, from public ways and abutting residential districts. No operation shall create noise, vibration, dust, fumes, or odors that are a nuisance beyond the lot line, and further no operations shall be permitted which the Permit Granting Board or Special Permit Granting Authority, after consultation with the Board of Health, determines to be unduly hazardous by reasons of potential fire, explosion, radiation, or chemical or biological hazard, including hazards resulting from the use, production or storage of materials or waste identified as toxic or hazardous, flammable, or explosive. No research or testing shall be conducted outdoors unless a Special Permit is granted for this purpose by the Special Permit Granting Authority authorized to act under the applicable section of this bylaw.</p>														
	3.372.1 Publishing, data processing, light manufacturing, light assembly including computer hardware and software, and scientific products with associated offices and distribution facilities.		N	N	SP	N	N	SP	SP SPR*	SP	SP	SPR	SPR	SPR	SPR	N
		<p>* In those areas of the B-L District which coincide with the Research & Development (R&D) overlay district, Site Plan Review approval shall be required for uses regulated under this section. In all other areas of the B-L District, a Special Permit shall be required from the Zoning Board of Appeals.</p> <p>Uses under this section shall include those which involve the limited light manufacture or production, principally from previously-prepared materials, of finished products or parts. This may include processing, fabrication, assembly, treatment, and packaging of such products as well as incidental storage and distribution of such products and associated offices. These uses may also include the on-site production within enclosed structures of custom goods fabricated principally by hand through the use of hand tools and small-scale mechanical equipment.</p> <p>No mass manufacturing, processing, or fabrication normally conducted under Section 3.372.2 nor any on-premises sale of products shall be permitted in association with uses under this section, except that the on-premises sale of custom-made goods produced by hand manufacturing may be permitted under a Special Permit granted by the Special Permit Granting Authority authorized to act under the applicable section of the Bylaw.</p> <p>In the R-VC District, the Zoning Board of Appeals may grant a Special Permit for a use under this section, provided that the proposed use consists only of offices or similar uses and meets the provisions of Sections 3.359, Article 7 and Section 10.38. In all zones, all outdoor storage of materials and equipment shall be screened from public view, from public ways and abutting residential districts. No operation shall create noise, vibration, dust, fumes, or odors, that are a nuisance beyond the lot line, and further, no operations shall be permitted which the Permit Granting Board or Special Permit Granting Authority, after consultation with the Board of Health, determines to be unduly hazardous by reason of potential fire, explosion, radiation, or chemical or biological hazard resulting from the use, production or storage of materials or waste identified as toxic or hazardous, flammable, or explosive. Where permitted, all operations involving such materials shall be conducted in a fully enclosed building in accordance with all applicable public health and safety regulations.</p>														

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	3.372.2	Manufacturing, assembly and processing, including associated offices and distribution facilities.	N	N	N	N	N	N	N	N	N	N	N	N	SP	SP	N
		Uses under this section shall include those involving the manufacture, assembly and/or processing, from extracted or raw materials or from previously-prepared materials, of finished materials, products, or parts. These uses may include processing, fabrication, assembly, treatment, and packaging of such products, as well as incidental storage and distribution of such products and associated offices. These uses may involve the production and/or storage of volumes of toxic or hazardous, flammable, or explosive materials under appropriate safeguards and conditions, as determined by the Special Permit Granting Authority under the requirements of this section. The on-premises sale of products shall not be permitted in association with any uses under this section.															
		In all zones, all outdoor storage of materials and equipment shall be screened from public view, from public ways and abutting residential districts. No operation shall create noise, vibration, dust, fumes or odors, that are a nuisance beyond the lot line, and further, no operations shall be permitted which the Permit Granting Board determines to be unduly hazardous by reason of potential fire, explosion, radiation, or chemical or biological hazard resulting from the use, production, or storage of materials or waste identified as toxic or hazardous, flammable, or explosive. Where permitted, all operations involving such materials shall be conducted in a fully enclosed building in accordance with all applicable public health and safety regulations.															
3.373	Removal of soil, sod, loam, sand, gravel, rock, quarried stone, or other earth products.		SP (N)	SP (N)	N	N	N	N	N	N	N	N	N	N	SP	SP	SP
		Any Special Permit under this section issued by the Zoning Board of Appeals shall be subject to, but not limited by, the following conditions:															
		1. No excavation shall be permitted below the grade of a road bounding the property at any point nearer than 300' to such road.															
		2. No excavation below the natural grade of any property boundary shall be permitted nearer than fifty feet to such boundary.															
		3. No slope created by the removal operation shall be finished at a grade in excess of the natural angle of repose of the material.															
		4. All excavated areas shall, upon completion of the operation, be covered with not less than four inches of loam; brought to the finish grade and seeded in a satisfactory manner.															
		5. Within the Flood-Prone Conservancy (FPC) District excavation of earth products shall be prohibited if such excavation will lower the level of the water table or will interfere with the natural flow pattern or reduce the flood storage capacity of a stream.															
		6. No permit for earth products removal shall be issued if such removal will (1) endanger the general public health or safety, or (2) constitute a nuisance, or (3) result in detriment to the normal use of adjacent property by reason of noise, dust, or vibration, or, (4) result in traffic hazards in residential areas or excessive congestion or physical damage on public ways.															
		7. A Special Permit for any earth products removal may be issued for a period not exceeding five years in duration. Upon reapplication for a permit, the Zoning Board of Appeals, at its discretion may grant one or more extensions of said permit, each of which shall not exceed five (5) years duration.															
		8. In approving the issuance of such permit, the Zoning Board of Appeals shall impose reasonable requirements which shall constitute a part of the permit and which may include: grading, seeding and planting, fencing necessary for public safety, methods of removal, location and use of structure, hours of operation, routes of transportation of material removed, control of drainage and disposition of waste incident to the operation.															
		9. The Board may require suitable bond or other security adequate to assure compliance with the provisions of this section.															

Bylaw Number	Land Use Classifications	Standards & Conditions	Zoning Districts													
			R-O R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	COM	OP	LI	PRP	FPC
3.374	Processing of earth in connection with its authorized removal.		SP (N)	SP (N)	N	N	N	N	N	N	N	N	N	SP	N	SP
		Such processing shall be clearly secondary to the removal of earth products. It shall not involve importation of significant quantities of materials from off the premises.														
3.375	Radioactive waste storage and disposal.		N	N	N	N	N	N	N	N	N	N	N	SP	N	N
		No burial, incineration, storage disposal of low-level radioactive wastes, transuranic wastes or high level radioactive wastes to be permitted unless a Special Permit is granted for this purpose by the Zoning Board of Appeals.														
SECTION 3.38 MOTOR VEHICLE RELATED USES																
3.380	Automobile & truck rental		N	N	N	N	N	SP	SP	N	N	SPR	N	N	N	N
3.381	Automotive filling station, including sales of related products and services.	Limited to minor repairs, unless conducted within the building.	N	N	N	N	N	SP	SP	SP	N	SPR	N	N	N	N
3.382	Automotive salvage yard for the dismantling, storage and sale of parts for automobiles and light trucks.	A buffer comprised of landscaping, natural vegetation, fencing or a combination of these shall be constructed around the perimeter of the parcel. All waste materials and storm water runoff shall be disposed of in a manner specified by the Zoning Board of Appeals. The Zoning Board of Appeals shall consult the Town Engineer, Board of Health and D.E.P. concerning the appropriate methods of disposal. All operations to be such as to confine disturbing smoke, fumes, dust, glare and noise to the premises.	N	N	N	N	N	N	N	N	N	SP	N	N	N	N
3.383	Car wash		N	N	N	N	N	N	N	N	N	SPR	N	N	N	N
3.384	Parking facilities															
	3.3840 Commercial parking lot or parking garage		N	N	N	N	N	SP	SP	SP	N	SP	N	N	N	N
	3.3841 Public parking lot or garage		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SP	SP	SP	N
3.385	Establishment for repair of motor vehicles or farm equipment.	Not to include sale of fuel. Limited to minor repairs, unless conducted within the building.	N	N	N	N	N	SP	SP	SP	N	SPR	N	N	N	N

Bylaw Number	Land Use Classifications	Standards & Conditions	<u>Zoning Districts</u>													
			R-O R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	COM	OP	LI	PRP	FPC
3.386	Motor vehicle sales, including trucks, boats, and farm equipment.	For the display and sale of such vehicles including warranty work and other repair and service conducted as an accessory use.	N	N	N	N	N	SP	SP	N	N	SPR	N	N	N	N
3.387	Sale of auto parts, excluding installation and repair services.	Inside sales only. In the B-N District, there shall be no more than four (4) employees on-site at any time, and the establishment shall be closed by 9:00 p.m.	N	N	N	N	N	SPR	SPR	SPR	SP	SPR	N	N	N	N
3.388	Sales of auto parts, including tires, batteries, mufflers, and the installation and service thereof.	Inside sales only.	N	N	N	N	N	SP	SP	N	N	SPR	N	N	N	N
3.389	Truck terminal		N	N	N	N	N	N	N	N	N	SP	N	SP	N	N